

## THE COURTS.

### THE CALLENDER TRIAL.

Another Sunday in the United States Circuit Court—The Jury Locked Up Twenty-five Hours—They Disagree and Are Discharged Without a Verdict.

Yesterday afternoon Judge Benedict came over from Brooklyn and took his seat on the bench in the United States Circuit Court room, No. 27 Chambers street, shortly after ten o'clock. At that hour the jury, who had been locked up all night, made their appearance. They seemed to be terribly tired and worn out, there being no accommodation for rest in the room in which they were detained except some chairs and lounges.

In reply to the clerk, who asked them if they had agreed upon a verdict.

Mr. John B. Russell, Foreman, said in a very emphatic and determined manner, "No, we have not."

JUDGE BENEDET SENDS THE JURY BACK.

Judge Benedict said—if I thought the difficulty with this jury was that they failed to understand the true issue in this case, and all the circumstances bearing upon it, I might have sent them back to the jury box. But I am satisfied the difficulty in the jury room is that some of the jurors are unwilling to consider the facts and circumstances in this case. I have no right to direct a verdict, and you will, therefore, retire to your room and consider the facts and circumstances in this case. I shall remain in the city until three o'clock, and will receive your verdict at that time before that hour. Therefore, the jury retired to their room, and the trial was adjourned until three o'clock.

At three o'clock there was not the slightest sign of an agreement. It was, however, rumored in the court room that the first motion for a verdict was made by the defendant's counsel, and that the jury went out for a conviction and was back for acquittal. This being exactly the way the jury were discharged, the trial was adjourned until three o'clock.

At half-past five o'clock Mr. Thomas W. Shields, Deputy Attorney General, appeared in court, and Judge Benedict to the effect that if the jury had not at that hour agreed they might be discharged. The jury were then taken to the court room.

The Clerk—discharged, having returned a verdict.

Foreman—We have not.

The Clerk—By direction of Judge Benedict you are discharged.

The jurors immediately left the court room, apparently very tired, and he was, and having said that, the trial was adjourned until three o'clock.

As the foreman was leaving, the representative of the Herald addressed him and said, "The jury being now discharged, it is legitimate for you to say how they stood."

The foreman—I think it proper to decline answering that question.

It was stated that the two jurors who have stood out against conviction are the foreman and Mr. J. Williams. And thus has ended the second trial of Charles Calender, who is charged with the murder of John T. Brady.

Two features of the case are, however, worth noting.

First—The jury, which is the second fruitless trial of this case, and it is an unfortunate thing that it has resulted in having the jury locked up on Sunday—something that is never done in the administration of justice in this city, though it is not contrary to law to take the verdict of a jury on the Sabbath.

Second—On Friday afternoon, Judge Benedict testified had closed on both sides, Judge Benedict insisted on Mr. Fullerton proceeding with his summation up to the jury on Sunday morning, while complying with the request, complained of the hardship of being obliged to go on with his summation, Judge Benedict refused to accede to the request.

At half-past six o'clock, after that time the Assistant District Attorney, Mr. Purcell, spoke to the jury in reply, when Judge Benedict adjourned the court until Saturday morning.

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## WEATHER REPORT.

OFFICE OF THE CHIEF OF METEOROLOGICAL SERVICE, WASHINGTON, D. C., June 1—A. M.

Probabilities.

FOR NEW ENGLAND, THE MIDDLE STATES AND THE LOWER LAKE REGION LIGHT RAINS WILL PREVAIL, FOLLOWED BY CLEARING WEATHER, SOUTHWEST TO NORTHWEST WINDS, SLIGHT FALL OF TEMPERATURE AND RISING BAROMETER.

For the South Atlantic and Gulf States, partly cloudy weather, with rain near the coast, light and gentle winds, stationary temperature, and slight rise in barometer.

For Tennessee and the Ohio Valley, clear or clearing weather during the day, north to west winds, slight fall of temperature and falling barometer.

Cautionary signals continue at Portland and Eastport.

The Weather in This City Yesterday.

The following record will show the changes in the temperature for the past twenty-four hours, in comparison with the corresponding day of last year, as indicated by the thermometer at Hudson's pharmacy, Herald Building:

1873. 1874.

3 A. M. .... 63 60 P. M. .... 74

6 A. M. .... 65 60 P. M. .... 74

9 A. M. .... 65 60 P. M. .... 74

12 A. M. .... 65 60 P. M. .... 74

15 A. M. .... 65 60 P. M. .... 74

18 A. M. .... 65 60 P. M. .... 74

21 A. M. .... 65 60 P. M. .... 74

24 A. M. .... 65 60 P. M. .... 74

27 A. M. .... 65 60 P. M. .... 74

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## OBITUARY.

Sir Harry Meyce-Thompson.

The death of Sir Harry Meyce-Thompson occurred in Yorkshire, England, on the 18th inst.

This baronet is better known from his management of English railways than from his figure in the political arena, wherein he had no very prominent part, though he was a member of Parliament for a number of years. Sir Harry was born in 1805, and was educated at Cambridge, whence he graduated with honors in 1822. He did not for many years come into public view in any other capacity than that of organizer of the Yorkshire Agricultural Society, and that of an enthusiastic member of the Royal Agricultural Society. Sir Harry was married in 1832, and had three sons and two daughters. He was a member of the Yorkshire Agricultural Society, and was a member of the Yorkshire Agricultural Society, and was a member of the Yorkshire Agricultural Society.

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## NOTICE TO MERCHANTS AND SHIP CAPTAINS.

Barbours (New York), from New York for Elmsford, April 25, 1874, at 61.00.

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